

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

MARLON GONZALEZ,

Petitioner,

v.

DAVID ORTIZ,

Respondent.

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Civ. No. 20-18682 (NLH)

MEMORANDUM & ORDER

APPEARANCES:

Marlon Gonzalez
22698-014
Fort Dix Federal Correctional Institution
PO Box 2000
Joint Base MDL, NJ 08640

Petitioner pro se

Elizabeth Pascal
Office of the U.S. Attorney
401 Market St.
PO Box 2098
Camden, NJ 08101

Respondent

HILLMAN, District Judge

Petitioner is a federal inmate currently incarcerated at F.C.I. Fort Dix in Fort Dix, New Jersey. He is proceeding *pro se* with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241. See ECF No. 1. Petitioner seeks his release from custody because of the conditions of his confinement at F.C.I. Fort Dix due to the COVID-19 pandemic. Presently pending before this Court are Petitioner's motion to supplement, see ECF

No. 9, and motion for reconsideration to expand the record. See ECF No. 10. Prior to ruling on these outstanding motions, this Court will order Respondent to file a response to these motions. Respondent's response shall also provide this Court with a status report which updates this Court on any additional steps the facility has taken to curb the spread of COVID-19 at the facility since it last updated the Court on January 14, 2021. Respondent shall expressly state in its response whether Petitioner has been vaccinated, and, if not, whether Respondent has scheduled Petitioner to receive a COVID-19 vaccine.

Accordingly, IT IS on this 14th day of April, 2021,

ORDERED Respondent shall file a response to Petitioner's motion to supplement, see ECF 9, and motion for reconsideration to expand the record within seven (7) days of the date of this memorandum and order. Respondent's response shall also provide this Court with a status update on any additional steps the facility has taken to curb the spread of COVID-19 at F.C.I. Fort Dix, including whether Petitioner has been or is scheduled to be vaccinated for COVID-19; and it is further

ORDERED Petitioner may file a reply to Respondent's response within (14) days of receiving Respondent's response; and it is further

ORDERED the Clerk shall serve this memorandum and order on
Petitioner by regular U.S. mail.

At Camden, New Jersey

s/ Noel L. Hillman
NOEL L. HILLMAN, U.S.D.J.